

E-filed 1/18/06

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CITY OF SAN JOSE, HAPPY HOLLOW PARK & ZOO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERI SMITH,

Plaintiff,

vs.

HAPPY HOLLOW PARK & ZOO; HAPPY
HOLLOW CORPORATION; CITY OF
SAN JOSE; and DOES 1-25

Defendants.

NO. C04 01178 JF

**STIPULATION TO CONTINUE
JANUARY 20, 2006 CASE
MANAGEMENT CONFERENCE AND
ORDER THEREON**

Plaintiff Teri Smith and Defendants Happy Hollow Park & Zoo and City of San Jose, by and through their attorneys of record, hereby stipulate that the January 20, 2006 Further Case Management Conference in this matter be rescheduled to **March 10, 2006 at 10:30 a.m.** Good cause exists for this extension in that:

- 1) The parties participated in a productive settlement conference on August 29, 2005 before Magistrate Patricia V. Trumbull;
- 2) Given the number of alleged violations of the Americans with Disabilities Act and related statutes Plaintiff has identified at the City of San Jose's Happy Hollow Park & Zoo, the size of the facility, and the existing renovation plans for the facility, Defendant City of San Jose will require additional time for settlement discussions;

- 1 3) Defendant City of San Jose will be conducting a meeting in February 2006
2 that needs to be completed before further settlement discussions can take
3 place;
4 4) The parties wish to avoid incurring unnecessary attorney's fees and costs;
5 and
6 5) The parties believe the Case Management Conference will be more
7 productive after they have completed their settlement discussions.

8 Dated: January 13, 2006

RICHARD DOYLE, City Attorney

10 BY: /s/ Brian C. Hopper

BRIAN C. HOPPER

Deputy City Attorney

12 Attorneys for Defendants

13 CITY OF SAN JOSE, HAPPY HOLLOW

14 PARK & ZOO

15 Dated: January 13, 2006

THIMESCH LAW OFFICES

16 By: /s/ Timothy Timesch

17 TIMOTHY TIMESCH, ESQ.

18 Attorneys for Plaintiff

19 TERI SMITH

20 I attest that Plaintiff has approved and signed this document, and given consent to
21 the filing of the same with the court.

22 Dated: January 13, 2006

RICHARD DOYLE, City Attorney

24 BY: /s/ Brian C. Hopper

25 BRIAN C. HOPPER

26 Deputy City Attorney

27 Attorneys for Defendants

28 CITY OF SAN JOSE, HAPPY HOLLOW

PARK & ZOO

ORDER

Pursuant to the stipulation by the parties hereto and good cause appearing therefor, the January 20, 2006 Further Case Management Conference is hereby rescheduled to 10:30 a.m. on March 10, 2006.

Dated: 1/18/06


JEREMY FOGEL
UNITED STATES DISTRICT JUDGE